

## **CALENDAR NOTICE (to be published 29 June 2018)**

### **Disciplinary Committee Inquiries**

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 12 June 2018:-

Mr K Salmon (in the chair)

Mr R Coughlan

Mr A Hunt

#### **1. Newcastle Stadium – PENNYS TINGLE – Professional Trainer Mr M Walsh**

Professional Trainer Michael Walsh was found in breach of rules 174 (i)(b), 216 and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound PENNYS TINGLE, at Newcastle Stadium on 14 October 2017, was analysed by LGC Health Sciences as containing the presence of 19-norethisterone and 2 metabolites of norethisterone namely; 5 $\alpha$ -estran-17 $\alpha$ -ethynyl-3 $\beta$ ,17 $\beta$ -diol and 5 $\beta$ -estran-17 $\alpha$ -ethynyl-3 $\alpha$ ,17 $\beta$ -diol.

Mr Walsh was unable to attend in person but participated by means of telephone conference at Newcastle Stadium, in the presence of Alex McTaggart, stipendiary steward, and Paul Twinn, racing manager. Professor Tim Morris, independent scientific adviser, was in attendance.

On 14 October 2017 at Newcastle Stadium, a post-race urine sample was taken from PENNYS TINGLE, a greyhound trained by professional trainer Michael Walsh, which upon analysis tested positive for 19-norethisterone and 2 metabolites of norethisterone namely; 5 $\alpha$ -estran-17 $\alpha$ -ethynyl-3 $\beta$ ,17 $\beta$ -diol and 5 $\beta$ -estran-17 $\alpha$ -ethynyl-3 $\alpha$ ,17 $\beta$ -diol.

The Disciplinary Committee heard evidence from Professor Tim Morris, independent scientific adviser, to the effect that 19-norethisterone is an authorised human medicine which may be used by greyhound veterinarians under the prescribing cascade to provide long-term suppression of oestrus. It is in the opinion of Professor Morris, a substance which by its nature could affect the performance or prejudice the wellbeing of a greyhound.

At the local inquiry, Mr Walsh explained that the dog PENNYS TINGLE was kennelled with a bitch WRAYSBURY ACT to which he administered 19-norethisterone in order to suppress oestrus. He stated that PENNYS TINGLE was a "dirty dog" given to eating other dogs' faeces and/or vomit, although he was not aware of this at the time he kennelled the greyhound with WRAYSBURY ACT. He now kennels PENNYS TINGLE alone. This continued to be Mr Walsh's explanation for this positive test.

In the opinion of Professor Morris, it was possible that the 19-norethisterone and its metabolites originated from ingestion of norethisterone by PENNYS TINGLE as described by Mr Walsh.

Mr Walsh's kennel book records WRAYSBURY ACT coming in to Mr Walsh's kennel on 26 October 2017 i.e. 12 days after the sample was taken from PENNYS TINGLE, and GBGB records show a

transfer into Mr John Walsh's name on 7 November 2017. It follows that the 19-norethisterone detected in PENNYS TINGLE's system cannot have been administered to WRAYSBURY ACT.

When asked to explain this discrepancy, Mr Walsh stated that WRAYSBURY ACT had been kennelled with PENNYS TINGLE at the time of the local inquiry on 19 December 2017 and he had assumed they were kennelled together in October. He explained that he had suffered serious ill-health and was heavily reliant on his son John for the day-to-day running of his kennel and the completion of his kennel and treatment books. He stated that PENNYS TINGLE was habitually kennelled with a bitch, but accepted that it could not have been WRAYSBURY ACT.

The Disciplinary Committee found Mr Walsh to be an honest witness who was doing his best to help, but it was clear to the Committee that in the latter part of last year he was heavily dependent on his son. Mr Walsh accepted that his son's book-keeping abilities were limited, and the Committee found his kennel and treatment books to be actively unhelpful. Having said that, the Committee was satisfied that there was not a deliberate administration of 19-norethisterone, but PENNYS TINGLE ingested this substance through some carelessness or inadvertence on the part of Mr Walsh or his son.

Some of the GBGB Rules of Racing impose strict liability on the trainer or registered sales agent. Accordingly, the Disciplinary Committee found Mr Walsh in breach of rules 174 (i)(b), 216 and 217 of the GBGB Rules of Racing.

As regards penalty, the Committee noted that the only previous breach recorded against Mr Walsh arose from contaminated feed and that no future action was taken. The Committee therefore dealt with him as a man of unblemished record.

Mr Walsh had been frank from the outset, fully admitted these rule breaches, and apologised for them.

The Committee noted that PENNYS TINGLE was now kennelled alone, and that these breaches occurred at a time of great personal difficulty for Mr Walsh.

Mark Bird, on behalf of the Greyhound Regulatory Board, suggested a caution would meet the justice of this case, but the Disciplinary Committee felt that the circumstances surrounding these breaches, and in particular the failure to keep proper records, necessitated a reprimand.

## **2. Sheffield Stadium – PORTERHOUSE – Professional Trainer Mr N Melbourne**

Professional Trainer Norman Melbourne was found in breach of rules 174 (i)(b), 214 and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound PORTERHOUSE at Sheffield Stadium on 19 December 2017 was analysed by LGC Health Sciences as containing the presence of 4-hydroxyxylazine.

Mr Melbourne was in attendance. Matthew Stagg, assistant racing manager, and John Gilburn, authorised representative of Sheffield Stadium, apologised for their non-attendance. Dave Baldwin, stipendiary steward, and Professor Tim Morris, independent scientific adviser, were in attendance.

On 19 December 2017 at Sheffield Stadium, a pre-race urine sample was taken from PORTERHOUSE, a greyhound trained by professional trainer Norman Melbourne, which upon analysis tested positive for 4-hydroxyxylazine.

Mr Melbourne accepted the results of that analysis and admitted breaches of rules 174 (i)(b), 214 and 217 of the GBGB Rules of Racing.

The Disciplinary Committee noted the evidence of Professor Tim Morris, independent scientific adviser, that 4-hydroxyxylazine is a veterinary sedative used in a wide range of species including farm animals and horses, and as such it is a substance which could affect the performance and/or prejudice the wellbeing of a greyhound. The Committee further noted Professor Morris's opinion that the finding of 4-hydroxyxylazine in the urine sample taken from the greyhound PORTERHOUSE would be compatible with feeding category 2 meat.

Mr Melbourne told the local inquiry held on 8 March 2018 that he only fed category 3 meat and the Committee was in no doubt that that was his genuine belief. He told this inquiry that he paid top prices for 'clean' meat which he believed to be category 3 meat, and that his suppliers did not put the category on his invoices.

In fact, it had transpired that his suppliers only dealt in category 2 meat. The Committee was therefore satisfied that this positive test arose from Mr Melbourne feeding category 2 meat.

The Committee noted that Mr Melbourne was a trainer of unblemished record. He had travelled from Doncaster to attend this inquiry. He fully admitted these breaches and expressed regret that they occurred.

The Committee noted that he had now changed meat suppliers.

Some of the GBGB Rules of Racing impose strict liability on the trainer or registered sales agent. In all the circumstances of the case, the Disciplinary Committee found Mr Melbourne in breach of rules 174 (i)(b), 214 and 217 of the GBGB Rules of Racing and ordered that he be cautioned.

### **3. Kinsley Stadium – ANOTHER CHICO - Greyhound Trainer Mrs J Cusworth**

Greyhound Trainer Mrs Joyce Cusworth was found in breach of rules 152 (i), 174 (i)(b) and 217 of the GBGB Rules of Racing in that a urine sample taken from the greyhound ANOTHER CHICO at Kinsley Stadium on 30 January 2018 was analysed by LGC Health Sciences as containing the presence of salbutamol.

Mrs Cusworth was unable to attend in person but participated by means of telephone conference at Kinsley Stadium, in the presence of Craig Hunt, racing manager. Dave Baldwin, stipendiary steward, and Professor Tim Morris, independent scientific adviser, were in attendance.

On 30 January 2018 at Kinsley Stadium, a post-race urine sample was taken from ANOTHER CHICO, a greyhound trained by greyhound trainer Mrs Joyce Cusworth, which on analysis tested positive for salbutamol.

The Disciplinary Committee noted the evidence of Professor Tim Morris, independent scientific adviser, that salbutamol is commonly used, usually in an inhaler, for the symptomatic relief of respiratory obstruction. In dilating airways and raising the heart rate salbutamol is a substance which could affect the performance and/or prejudice the wellbeing of a greyhound.

Mrs Cusworth told the local inquiry held on 29 March 2018 that she used a Ventolin inhaler for the treatment of chronic obstructive pulmonary disease. Her son also has breathing difficulties and on 30 January 2018 Mrs Cusworth lent him her inhaler.

The Committee noted Professor Morris's evidence that Ventolin dispenses salbutamol by aerosol, so contamination was quite possible. Professor Morris noted that although Mrs Cusworth would have been trained in the use of the inhaler, her son would not, thereby increasing the likelihood of contamination.

In Mrs Cusworth's opinion, her inhaler was the source of the salbutamol ingested by ANOTHER CHICO. She said both she and her son, Mr Dean Cusworth, had used the inhaler that day and so she thought it possible that ANOTHER CHICO could have inhaled salbutamol directly if it had been used in an enclosed space, or could have licked it from their hands.

Mrs Cusworth attended today's inquiry by telephone and maintained the same explanation. She was plainly very sorry, not to say embarrassed, by what had occurred and had assured the Committee that she would be much more careful when she used her inhaler in future. She would not use it near her greyhounds.

The Committee was satisfied that ANOTHER CHICO ingested salbutamol in the way suggested by Mrs Cusworth.

Some of the GBGB Rules of Racing impose strict liability on the trainer or registered sales agent. In those circumstances, the Disciplinary Committee found Mrs Cusworth in breach of rules 152 (i), 174 (i)(b) and 217 of the GBGB Rules of Racing.

The Disciplinary Committee noted that Mrs Cusworth admitted these breaches at the earliest opportunity. She had an unblemished record and had produced 2 glowing references from the racing managers at Kinsley. She had taken precautions to avoid any re-occurrence of this contamination.

In all the circumstances of the case, the Disciplinary Committee ordered that Mrs Cusworth be cautioned.